

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

GARY J. SINGLETON, et al.,	:	
Plaintiffs,	:	
vs.	:	CA 08-0228-WS-C
COUNTRYWIDE HOME LOANS, et al.,	:	
Defendants.	:	

SUPPLEMENTAL RULE 16(b) SCHEDULING ORDER

After consideration of the Court's order lifting stay (Doc. 90), the following second supplemental scheduling order is entered pursuant to Fed.R.Civ.P. 16(b):

1. FINAL PRETRIAL CONFERENCE. This action shall be pretried by Judge William H. Steele on **April 20, 2010 at 3:30 p.m. in Mobile, Alabama**. This is a **firm** pretrial setting and the parties should be ready for trial by the pretrial conference. Requests for extending the convening of the pretrial conference **will be granted only after good cause for the extension has been exhibited. A COPY OF THE STANDING ORDER GOVERNING FINAL PRETRIAL CONFERENCES IS ATTACHED. NO ADDITIONAL NOTICES REGARDING THE FINAL PRETRIAL CONFERENCE WILL BE NECESSARY.**

2. TRIAL DATE. This action is set for jury selection on **May 4, 2010**, and for trial sometime during the month of **May, 2010**, the specific date to be set once the total number of actions going to trial that month is determined. The parties estimate that the trial of this action will require **two (2)** days.

3. DISCOVERY COMPLETION DATE. All discovery is to be completed on or before **November 20, 2009**. **Requests for extension will be viewed with great disfavor and will not be considered except upon a showing (1) that extraordinary circumstances require it and (2) that the parties have diligently pursued discovery.**

For all actions, "completed" means that all depositions have been taken; interrogatories, requests for admissions, and requests for production served and responded to; physical inspections and testing concluded; physical and mental examinations concluded; and motions to compel filed.

6. EXPERT TESTIMONY. The expert reports as required by Fed.R.Civ.P. 26(a)(2)(B) shall be produced by plaintiff(s) on or before **September 21, 2009** and by defendant(s) on or before **October 21, 2009**. Rebuttal evidence, authorized by Rule 26(a)(2)(C), shall be disclosed on or before **October 21, 2009** by defendant(s) and **November 20, 2009** by plaintiff(s). **An expert's deposition, if taken, must be noticed and completed within thirty (30) days of the date on which the expert's report is disclosed.**

All challenges to expert witnesses, including *Daubert* motions, must be filed not later than April 6, 2010, two weeks prior to the Final Pretrial Conference.

7. SUPPLEMENTATION. Supplementation of disclosures and responses as required by Fed.R.Civ.P. 26(e) is to be accomplished "at appropriate intervals" and "seasonably," but not later than **December 21, 2009**. In this case, the Court deems monthly supplementation as an appropriate interval.

8. PRETRIAL DISCLOSURES. The time for **disclosing** the information listed in Fed.R.Civ.P. 26(a)(3) and Judge Steele's standing order governing final pretrial shall be **March 19, 2010**. The actual **filing** of this information is accomplished with the filing of the proposed pretrial order.

11. **DISPOSITIVE MOTIONS.** The Court considers dispositive motions, particularly summary judgment motions, to be appropriate methods for pretrial resolution of claims or defenses, or portions thereof, that do not contain disputed material facts, thus reducing the triable issues. In order to ensure that these issues are presented in sufficient time for the Court to reach a decision prior to trial, the parties **shall** identify those claims or defenses that do not require a trial in a properly-supported dispositive motion, filed not later than **December 7, 2009.**

DONE AND ORDERED this 11th day of August, 2009.

s/WILLIAM E. CASSADY
UNITED STATES MAGISTRATE JUDGE